

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Case No. 10-00043-01-CR-W-DGK
v.)	
)	
MICHAEL C. MOYLAN,)	
)	
Defendant.)	

MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE

PENDING CHARGE:

On or about December 21, 2009, defendant Michael C. Moylan, having been convicted of a crime punishable by imprisonment for a term exceeding one year, possessed a firearm, to wit, a Hi-Point, Model 995, 9mm rifle.

The following matters were discussed and action taken during the pretrial conference:

TRIAL COUNSEL:

Government: Paul Becker
Case Agent: ATF SA Tim Canon
Defense: Laine Cardarella

OUTSTANDING MOTION: Motion to Suppress Evidence

TRIAL WITNESSES:

Government: 10 without stipulations; 8 with stipulations
Defendants: 12 witnesses; the defendant may testify

TRIAL EXHIBITS:

Government: 25 exhibits
Defendant: Less than 10 exhibits for defendant

DEFENSES: General denial

POSSIBLE DISPOSITION:

(X) Definitely for trial; () Possibly for trial; () Likely a plea will be worked out

TRIAL TIME: 2 days

Government's case including jury selection: 1/ ½ days
Defense case: ½ day

STIPULATIONS: The parties have worked out stipulations to the interstate nexus of the firearm, fingerprints, and defendant's prior felony convictions.

UNUSUAL QUESTIONS OF LAW: None

FILING DEADLINES:

Witness and Exhibit List

Government: To file by May 8, 2010

Defense: To file by May 8, 2010

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: Noon, Wednesday, June 2, 2010

Please Note: Jury instructions must comply with Local Rule 51.1

Motion in Limine: Any motions to be filed by May 18, 2010; Oppositions by May 25, 2010.

TRIAL SETTING: Criminal jury trial docket commencing June 7, 2010

Please note: Defense counsel requests that the case be placed on the second week of the docket as she will be out of town Monday through Wednesday of the first week of the docket.

IT IS SO ORDERED.

/s/ Sarah W. Hays
SARAH W. HAYS
UNITED STATES MAGISTRATE JUDGE